

### III. REMARKS

Claims 1-29 are pending in this application. By this amendment, claims 1, 2, 9, 16, 22, 23 and 29 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 16-21 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 4, 7-8, 16, 22, 25 and 28 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe GoLive 5.0 User Guide, (published 2000), hereinafter, "Adobe," in view of Mueller *et al.* (U.S. Patent No. 6,009,398), hereinafter "Mueller," further in view of Boehne *et al.* (U.S. Patent No. 6,434,500), hereinafter, "Boehne." Claims 2, 23 and 29 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Mueller and Boehne and further in view of Yen *et al.* (U.S. Patent No. 6,724,918 B1), hereinafter "Yen." Claims 3 and 24 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Mueller and Boehne and further in view of Stern (U.S. Patent No. 6,724,918), hereinafter "Stern." Claims 5 and 26 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Mueller and Boehne and further in view of Busch *et al.* (U.S. Patent No. 6,656,050 B2), hereinafter "Busch," and further in view of Daberko (U.S. Patent No. 5,787,445), hereinafter "Daberko." Claims 6 and 27 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view

of Mueller and Boehne and further in view of Helgeson *et al.* (U.S. Patent No. 6,643,652 B2), hereinafter Helgeson. Claim 9 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Boehne. Claims 10-11, 16-17 and 20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Boehne and Helgeson. Claims 12 and 18 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Boehne, Helgeson, Mueller and Yen. Claims 13-14 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Boehne, Helgeson, Mueller, Yen, and Stern. Claim 21 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Adobe in view of Boehne, Helgeson, Busch, and Daberkow. Applicants respectfully traverse these rejections for the following reasons indicated below.

#### **A. REJECTION OF CLAIMS 16-21 UNDER 35 U.S.C. §112, SECOND PARAGRAPH**

The Office has asserted that claims 16-21 are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended claim 16 to remove the limitation "...the calendar," from the claim. Applicants assert that this amendment further clarifies the invention. Accordingly, Applicants request that the rejection be withdrawn.

#### **B. REJECTION OF CLAIMS 1, 7-8, 16, 22 AND 28 UNDER 35 U.S.C. §103(a) OVER ADOBE, MUELLER AND BOEHNE**

With regard to the 35 U.S.C. §103(a) rejection over Adobe in view of Mueller and Boehne, Applicants assert that the combined references cited by the Office fail to teach or suggest each and every element of the claimed invention. For example, with respect to

independent claims 1, 16 and 22, Applicants respectfully submit that the combined references fail to teach or suggest, *inter alia*, a content system for providing content for web pages of the website, wherein the web pages have defined categories into which the content is arranged, each category being defined based on a type of content information. The Office equates this feature of the claimed invention with the primary site window of Adobe. This primary site window of Adobe has two separate panes, each displaying a list of files. To this extent, the panes of the primary site window of Adobe each display the same type of information, i.e., data files. However, Adobe does not teach or suggest that its panes are divided by the type content information that is displayed in the panes. Furthermore, the primary site window of Adobe is not indicated as being a web site, but rather is a pop-up interface window. Still further, the primary site window does not have content information, e.g., local news, national news, sports news, business news, etc.

In contrast, the claimed invention includes "...a content system for providing content for web pages of the website, wherein the web pages have defined categories into which the content is arranged, each category being defined based on a type of content information." Claim 1. As such, in contrast to the panes of Adobe which display only file information, the web pages created by the content system of the claimed invention have defined categories into which the content is arranged, each category being defined based on a type of content information. These categories may include such categories as a sports news category, a business news category, a local news category and a national news category. Thus, Adobe GoLive does not teach the content system of the claimed invention. Neither of the Mueller and Boehne references cures this deficiency. Accordingly, Applicants respectfully request that the rejection be withdrawn.

With further respect to independent claims 1 and 22, Applicants respectfully submit that the combined references also fail to teach or suggest, *inter alia*, a breadcrumb system for specifying whether breadcrumb code is inserted into the web pages. In contrast, the history palette of Adobe that the Office equates with the breadcrumb system of the claimed invention lists up to 20 states of the page in layout view of Source view. Adobe does not teach or suggest that its history palette is used to specify whether breadcrumb code is inserted by a developer into a developed web page. In contrast, the claimed invention includes "...a breadcrumb system for specifying whether breadcrumb code is inserted into the web pages." Claim 1. As such, the breadcrumb system of the claimed invention does not merely list multiple states of a page as does the history palette of Adobe, but rather specifies whether breadcrumb code is inserted into the web pages. Neither of the Mueller and Boehne references cures this deficiency. Accordingly, Applicants respectfully request that the rejection be withdrawn.

With further respect to independent claims 1, 16 and 22, Applicants respectfully submit that the combined references also fail to teach or suggest, *inter alia*, a calendar system for defining a calendar within the website. The Office admits that Adobe fails to specifically disclose use of a calendar system for defining a calendar within the website. Instead, the Office cites a passage of Mueller that discloses accessing one or more components of a calendar system. To this extent, Mueller teaches, at best, utilizing a calendar via calendar system. Mueller, however, does not teach defining a calendar, i.e., creating one from scratch. In contrast, the claimed invention includes "...a calendar system for defining a calendar within the website." Claim 1. As such, the calendar system of the claimed invention does not merely utilize an already created calendar as does Mueller, but rather defines a calendar within the website. Thus,

the calendar system of Mueller does not teach or suggest the calendar system of the claimed invention. None of the other references cures these deficiencies. Similarly, the feedback system of Boehne, which the Office equates with the feedback system of the claimed invention, provides feedback to an operator, and does not provide a developer of a website a way to define a feedback mechanism for the website. Accordingly, Applicants respectfully request that the rejection be withdrawn.

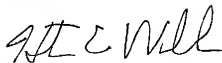
Even assuming, *arguendo*, that the cited references teach or suggest the features of the claimed invention, there is no motivation or suggestion in the references themselves or elsewhere in the art for combining the references. In particular, each of the references performs its particular function in a different environment. For example, a specific Adobe environment is key to Adobe while the other references perform their functions in various custom and non-Adobe environments. To this extent, it is unclear whether the other references would function correctly if placed in the Adobe environment, whether Adobe would function correctly if placed in the custom environments of the other references. Furthermore, it is unclear whether the alleged ability of Adobe to enable a non-programmer to develop a web site could be extended to the other references to allow a developer to develop all of the mechanisms of the claimed invention without a need for knowledge of web-based programming. As such, Applicants contend that the Office's combination of references is based upon hindsight resulting from the teachings of the claimed invention and not from any teaching or suggestion in the references themselves of in the art.

#### **IV. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



---

Hunter E. Webb

Reg. No.: 54,593

Date: April 19, 2007

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)

RAD/hew